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Beth Sol

W-03512A-07-0362

RECEIVED

From: Bruce Brammer [brammer@npgcable.com]**Sent:** Monday, February 25, 2008 3:53 PM**To:** John LeSueur

2008 FEB 26 P 3:42

Subject: Fwd: NOI for the K-2 project by Pine Water or Brooke UtilitiesAZ CORP COMMISSION
DOCKET CONTROL**Attachments:** NOI Attachments.zip; ATT2572175.txt; ATT2572176.txt

John,

I have sent this off to ADEQ today.

I have reviewed a lot of testimony on the two dockets and feel even stronger that Mr. Hardcastle has a plan that started back in the late 1990's. His testimony is clouded and hard to figure out. But when he gets around to doing things, it is very clear. Like not having enough land for the project and wanting to increase the size of his site by almost 70% to accomplish the project.

Arizona Corporation Commission

DOCKETED

FEB 26 2008

DOCKETED BY

I would appreciate your comments prior to doing anything with this information.

Bruce

Begin forwarded message:

From: Bruce Brammer <brammer@npgcable.com>**Date:** February 25, 2008 3:46:24 PM MST**To:** Lavinia Wright <Wright.Lavinia@azdeq.gov>**Subject:** NOI for the K-2 project by Pine Water or Brooke Utilities

Lavinia,

Thank you for sending me the NOI for the K-2 project.

I am attaching a drawing that was done by Tetra Tech of Payson on the site. It is from the Pine Strawberry Water Improvement District web-site. (<http://www.pswid.org/>)

From a presentation made on Aug 16, 2007. The drawing is on page 16, the last page. It shows where they plan to drill the TWO wells and the location of the nearby Septic tanks and leach fields.

The home to the west (301-11-140A) is a home I own, and
It is a vacation rental. The Plum Tree House. www.plumtreehouse.com

Note the comments on the drawing as to where the estimated location of the Septic System is located and where they obtained the information.

The drawing they refer to was hand drawn by me for the purposes to remove the house from Flood Insurance.

2/26/2008

It is not accurate.

Even today, I do not know where the leach system is located.

If the leach field is East of where it is indicated, it will change the available space that is set aside to drill the wells.

(Wells are required to be 100 feet from septic tanks and effluent fields according to ADEQ, ADWR, Gila County and the ACC.

Also, during testimony by Mr. Hardcastle on two ACC Dockets (W-03512A-06-0407 and W-03512A-07-0362), he

made many questionable statements regarding this K-2 project and the PWCo's ability to build the project on the site.

The site is best described on the Record of Survey which can be obtained from the Gila County Web-site.

The entire site is now divided into two parts, A of 5646 square feet and B of 2251 square feet. A total of 7897 square feet.

Pine Water Co now has B and that is what will be used to drill two wells. I know there are rules for well spacing, but do not know if the distance between the wells was evaluated?

(<http://www.co.gila.az.us/assessor/default.html>) ROS 3463. (Copy attached)

(<ftp://ftp.gilacountyaz.gov/Public/Assessor/ROS/ROS%203401-3600/ROS%203463.tif>)

And it is stated on the bottom of page 2 in the NOI they plan to discharge into Strawberry Creek and the discharge point is 140 feet from the pits.

They currently do not have permission to cross land owned by others for that or any other purpose. This was admitted to in testimony given by Mr. Hardcastle (CEO of Pine Water and Brooke Utilities.)

They would have to condemn land to have access to Strawberry Creek and that legal process can take up to three years.

I am asking that the NOI be put on hold till solutions to the above and the following are completed.

1. An exact location of the septic system can be identified.
2. A clear solution to discharge into Strawberry Creek.
3. The completion of an environmental study that the ACC requested and Mr. Hardcastle agreed to provide ("on the record").
4. Concerns regarding the stability of the site and home to the south. A letter to the ACC and a response from Commissioner Mayes is attached. As far as I know there is no response from the ACC Staff.
5. The concern identified in #4 above relates to the location of the discharge pits (size of 80,000 gal in the NOI and 90,000 gal presented at the PSWID meeting on Feb 21st.) Where will the discharge pits be located on the site. What impact will the discharge of up to 1.5 million gallons of water have on the

retaining walls. The water company plans to erect a retaining wall (plans not yet submitted to Gila County) on the south of the site
The height of the wall is estimated to be from 10 to 14 feet high.

Under testimony Mr. Hardcastle stated that the site was of sufficient size for the project.
If the site is large enough, why does want to add 5354 square feet to the site of 7897 square feet?

Please advise if I need to do this in writing or if this email is allowed?

Bruce

Bruce Brammer

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